

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**WSOU INVESTMENTS LLC,**

**Plaintiff,**

**V.**

**DELL TECHNOLOGIES INC., DELL  
INC., EMC CORPORATION,**

**Defendants.**

**CIVIL NO. W-20-CV-00476-ADA**

## **ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS**

Before the Court is the Report and Recommendation of United States Magistrate Judge Derek T. Gilliland. ECF No. 262. The report recommends Plaintiff's Motion to Dismiss, ECF No. 244, be **GRANTED-IN-PART** and that the case be **DISMISSED WITH PREJUDICE** without deciding whether to award attorneys' fees. The report and recommendation was filed on January 4, 2024.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing de novo review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). As of today, neither party has filed objections.

When no objections are timely filed, a district court reviews the magistrate judge’s report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee’s note (“When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”). The Court has reviewed the report and recommendation and finds no clear error.

**IT IS THEREFORE ORDERED** that the Report and Recommendation of United States Magistrate Judge Gilliland, ECF No. 262, is **ADOPTED**.

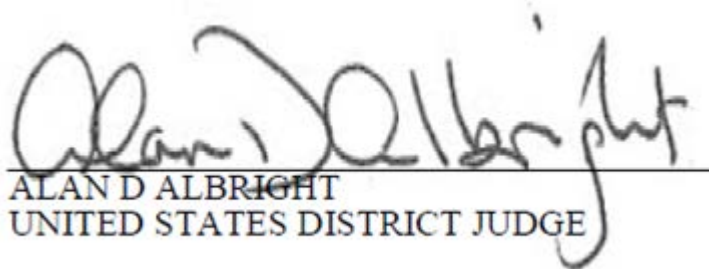
**IT IS FURTHER ORDERED** that Plaintiff WSOU Investments, LLC's Motion, ECF No. 244, is **GRANTED-IN-PART** in accordance with the Report and Recommendation.

**IT IS FURTHER ORDERED** that all of Plaintiff's claims in the above-captioned case are **DISMISSED WITH PREJUDICE**, without resolving the question of attorneys' fees.

**IT IS FURTHER ORDERED** that, as agreed by the parties, Defendants shall be allowed to seek their costs as the prevailing parties.

**IT IS FINALLY ORDERED** that the Clerk of Court is respectfully directed to close the case.

**SIGNED** this 18th day of April, 2024.

  
ALAN D ALBRIGHT  
UNITED STATES DISTRICT JUDGE